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April 14, 2020

**VIA ECF**

Honorable Joan M. Azrack  
United States District Judge  
United States District Court  
944 Federal Plaza  
Central Islip, NY 11722

Re: Dennis L. D'Aquino, et al., v. Garda CL Atlantic, Inc.  
Docket No. 16-cv-00641 (JMA)(AKT)

Dear Judge Azrack:

This firm represents Defendant Garda CL Atlantic ("Defendant") in the above-referenced consolidated action. We write in response to Steven Moser's letter "motion" (Dkt. No. 91), dated April 6, 2020, seeking to enforce the settlement agreement. We are treating Mr. Moser's letter motion as a pre-motion conference letter requesting permission to file a motion, as required by Your Honor's rules.

Mr. Moser failed to advise the Court of the real reason I advised him as to why the settlement checks have not been delivered to him as of yet. Garda sent various settlement checks to their in-house counsel's office in Philadelphia which is under a lock-down Order. Nonetheless, in-house counsel, in an effort to comply with the settlement terms in this unprecedented time, obtained the package containing the settlement checks from their office last week and unfortunately found that the checks for the *D'Aquino* matter were inadvertently not included in the package. Garda is issuing checks and will have them delivered directly to Mr. Moser's office. My understanding is that this process has already been initiated.

As the Court is aware, Garda has been extremely frustrated by the continued delay of the various Garda matters pending before Your Honor due to Mr. Moser's various actions and inactions. This one incident, created by the instant pandemic, in no way evidences any delay on Garda's part.

Thank you for your consideration of this matter.

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Respectfully submitted,  
  
Littler Mendelson, P.C.

*/s/ Lisa M. Griffith*

Lisa M. Griffith

cc: All attorneys of record (via ECF)

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